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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 RICHARD EDVALDS,

11 Petitioner,

12 v.

13 DOUG COLE,

14 Respondent.

CASE NO. C11-5589-BHS-JRC

ORDER DENYING PETITIONER'S
MOTION FOR AN EXTENSION OF
TIME

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16 This petition for a writ of habeas corpus was filed pursuant to 28 U.S.C. § 2254 and it has
17 been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(A) and (B)
18 and Local Rules MJR 1, MJR 3, and MJR 4.

19 Petitioner has repeatedly failed to follow this Court's Orders. The action was originally
20 filed July 28, 2011. Petitioner failed to file a complete petition with his initial filing. Petitioner
21 only filed the first page of a Court form. (ECF No. 1 proposed petition). Within four days of
22 filing, the Court informed petitioner of this defect and defects in his in forma pauperis
23 application. Petitioner requested additional time to cure the defects in his filings and the Court
24 granted him additional time (ECF No. 3, 4, and 5).

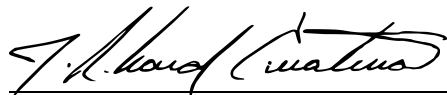
1 Three months after the case was opened, petitioner still had failed to cure his in forma
2 pauperis application defects. The Court entered a Report and Recommendation that the
3 application to proceed in forma pauperis be denied (ECF No. 9). Only then did the petitioner take
4 action. The petitioner paid the filing fee. As a result, the District Court did not adopt the Report
5 and Recommendation, and the case was referred back to this Court.

6 On November 18, 2011, the Court entered an Order that gave petitioner six weeks to fill
7 out his petition and provide service copies (ECF No. 11). Petitioner has again failed to comply
8 with this Court's Order. Petitioner now asks for a 30-day extension of time (ECF No. 12). He
9 again acknowledges that he has also filed another habeas corpus action (ECF 12). The motion for
10 a 30-day extension is DENIED.

11 Petitioner has been given nearly half a year to file his petition and service copies. These
12 are filings that should have been prepared and filed when the case was opened.

13 A separate Report and Recommendation to dismiss this petition for failure to prosecute
14 will be filed.

15 Dated this 9th day of January, 2012.

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18 J. Richard Creatura
19 United States Magistrate Judge
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